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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES of the) No. C-07-00571 (SC)
LABORERS HEALTH AND WELFARE)
TRUST FUND FOR NORTHERN)
CALIFORNIA; LABORERS VACATION-)
HOLIDAY TRUST FUND FOR NORTHERN) STIPULATION TO FILE FIRST
CALIFORNIA; LABORERS PENSION TRUST) AMENDED COMPLAINT;
FUND FOR NORTHERN CALIFORNIA; and) [PROPOSED] ORDER
LABORERS TRAINING AND RETRAINING)
TRUST FUND FOR NORTHERN)
CALIFORNIA,)
)
Plaintiffs,)
)
v.)
)
W.K. MCLELLAN CO., A California)
Corporation,)
)
Defendant.)

Plaintiffs, Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern California; Laborers Vacation-Holiday Trust Fund for Northern California; Laborers Pension Trust Fund for Northern California; and Laborers Training and Retraining Trust Fund for Northern California, and Defendant, Baldwin Contracting Company, Inc., by and through their counsel of

1 record, hereby stipulate that Plaintiff be allowed to amend and file its First Amended Complaint to
2 change Plaintiffs' name. A copy of the First Amended Complaint is attached hereto as Exhibit
3 "A."

4 The parties further stipulate that Defendant's answer, filed on February 27, 2007 is effective
5 as a response to Plaintiff's First Amended Complaint.

6 Dated: May 23 2007

7 WEINBERG, ROGER & ROSENFELD
8 A Professional Corporation

9 By: [Signature]
10 CONCEPCION LOZANO-BATISTA
11 Attorneys for Plaintiffs

12 Dated: May 21 2007

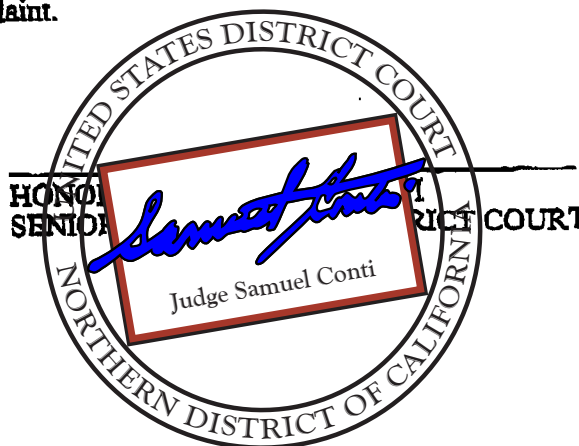
13 COOK BROWN LLP

14 By: [Signature]
15 Dennis Cook
16 Attorney for Defendant

17 ORDER

18 Pursuant to the stipulation between the parties, it is hereby ordered that Plaintiffs may
19 amend and file their First Amended Complaint.

20 Dated: 6/4/07



28 107713/438334

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JOINT CASE MANAGEMENT CONFERENCE STATEMENT AND [PROPOSED] ORDER
Case No. C-07-00571 (SC)